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Monday, June 18, 2012

**Via Fax: (609) 989-0435 and ECF**

Magistrate Judge Tonianne J. Bongiovanni

RE: Guy Williams v. Trenton City Police Department, et al.  
No.: 11-6352

Your Honor:

Pending before this Honorable Court is Defendants' Motion to Deem their Requests for Admissions Admitted over Plaintiff's objections. Previously, Your Honor held a teleconference whereat all parties maintained their positions (to wit, Plaintiff complained Defendants' Requests regarding his ultimate gun possession not relevant in light of that evidence having been previously suppressed for Defendants' unlawful search-the subject of this action). To that end, Defendants filed the above Motion at this Court's request.

Upon careful review of Defendants' Motion (specifically, Hector, supra.), Plaintiff withdraws his objections here requesting leave of this Court to respond (without objection) to Defendants' subject Requests within ten (10) days. Plaintiff does not anticipate opposition to this request given it a proposed resolution of Defendants' Motion. Simply, after significant research, Plaintiff found Hector persuasive of Defendants' position.

Further, Plaintiff, per Hector, respectfully requests leave to amend his complaint solely to plead a cause of action under §1983 pursuant to the 4<sup>th</sup> and 14<sup>th</sup> amendments for unlawful search and seizure against Defendants Lugo and John Does, in their individual capacities. Plaintiff does not anticipate opposition to this request as unlawful search and seizure was clearly pleaded throughout Plaintiff's complaint notwithstanding no Count was captioned as such, and in light of Plaintiff's withdrawal of the other Defendants and Counts.

R E C E I V E D

JUN 19 2012

AT 8:30  
WILLIAM T. WALSH  
CLERK

Thank you for this Honorable Court's consideration of Plaintiff's request for ten (10) days to respond to Defendants' requests for admissions, as well as to amend (narrow) his complaint. If Your Honor requires more formal briefing, Plaintiff will abide this Court's directive.

*Granted*

*Amended Complaint to be filed by July 6, 2012*

Sincerely,

/s/ Matthew B. Weisberg  
MATTHEW B. WEISBERG

MBW/hcm

Cc: J. Brooks DiDonato, Esq. (Via ECF)

So Ordered this 19 day  
of June, 2012  
[Signature]

*[Docket Entry No 9 is terminated]*